

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
vs.)	CASE NO. DNCW3:15CR204
)	(Financial Litigation Unit)
)	
GERALD S. HEALY,)	
Defendant,)	
and)	
)	
DIOCESE OF CHARLOTTE RETIREMENT)	
PROGRAM FOR LAY EMPLOYEES,)	
Garnishee.)	

ORDER OF CONTINUING GARNISHMENT

THIS MATTER is before the Court on the Answer of Diocese of Charlotte Retirement Program as Garnishee. Judgment in the criminal case was entered on April 28, 2016 (Doc. No. 23). As part of that Judgment, the Defendant was ordered to pay an assessment of \$100.00 and restitution of \$161,399.00 to the victims of the crime. *Id.*

On January 12, 2022, the Court entered a Writ of Continuing Garnishment (Doc. No. 30) to Garnishee Diocese of Charlotte Retirement Program for Lay Employees. The Defendant was served with the Writ and Instructions notifying him of his right to request a hearing on January 19, 2022. The Garnishee was served on January 24, 2022. The Garnishee filed an Answer on February 11, 2022 (Doc. No. 33) stating that at the time of the service of the Writ, the Garnishee had in its custody, control or possession property or funds owned by the Defendant, including non-exempt, disposable earnings. The United States has requested a garnishment of twelve percent of Defendant's net disposable earnings, in consideration of his financial circumstances and after consulting with the victims.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$81,378.94 computed through January 12, 2022. The Garnishee shall pay the United States twelve percent of the Defendant's net earnings which remain after all deductions required by law have been withheld and shall continue said payments until the debt to the Plaintiff is paid in full, or until the Garnishee no longer has custody, possession or control of any property belonging to the Defendant, or until further order of this Court.

Payments should be made payable to the United States Clerk of Court and mailed to:

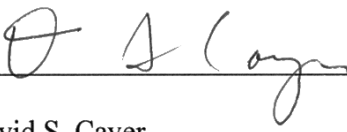
Clerk of the United States District Court
401 West Trade Street
Charlotte, North Carolina 28202

In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW3:15CR204.

IT IS FURTHER ORDERED that the Plaintiff shall submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment Defendant would normally receive may be offset and applied to this debt.

SO ORDERED.

Signed: June 28, 2022



David S. Cayer
United States Magistrate Judge

